

**CITY OF ROCKVILLE LONG RANGE PLANNING DIVISION
STAFF REPORT**

October 27, 2004

SUBJECT:

Text Amendment Application TXT2004-00215

Applicant: Mayor and Council of Rockville
111 Maryland Avenue
Rockville, Maryland 20850

Planning Commission Review Date: November 3, 2004
Mayor and Council Public Hearing: December 6, 2004

REQUEST:

This application is a Zoning Text Amendment that is intended to implement many of the recommendations of the Town Center Master Plan. Sectional Map Amendments are defined by Section 25-116 of the Zoning Ordinance as covering a section of the City, portions of which may be classified in different zones.

BACKGROUND:

The Mayor and Council adopted the Town Center Master Plan on October 22, 2001. Within that document, several recommended changes to the Zoning Text were included in order for the Plan's recommendations to be realized. The processing and adoption of a Zoning Text Amendment application will implement these recommendations. Changes to the optional method of development have not been made, except for consistency in language concerns, pending additional discussions.

DISCUSSION:

The Text Amendment as proposed would create the renaming of the Town Center zones from TCO-1, TCO-2, TCM-1 and TCM-2 to TC-1, TC-2, TC-3 and TC-4 respectively, which was a recommendation of the Town Center Master Plan. In addition to changes to the purpose and intent of the section, and to certain recommendations in the Town Center Master Plan, the following key issues are addressed:

Parking reductions in the Town Center zones

Currently, reductions of up to 30 percent from the required amount of nonresidential parking spaces may be granted by the Planning Commission, or other approving body as appropriate, in the TCO-1, TCO-2, TCM-1 and TCM-2 Zones. These are granted as part of the Use Permit approval. The parking reduction must meet one of the following criteria: 1) there are common patrons or onsite

users within the building or buildings, or there are non-overlapping peak parking needs among the uses on the site; 2) a major point of pedestrian access is within 1,500 feet of the Rockville Metro station; or 3) a parking management plan, approved by the relevant approval authority, that incorporates car and van pooling, or public or private transit. The Mayor and Council may authorize an additional 10 percent reduction, for a total of forty percent.

The Mayor and Council agreed to a tiered system of reductions, assigning a portion of the total percentage to each individual criterion. The Mayor and Council agreed that there should be some type of enforcement mechanism that would ensure that parking reductions are not abused, or whether the reductions are effective. Staff recommends the following adjustments to the potential parking reductions in the TC zones.

- For projects within 1,500 feet of the entrance to the Rockville Metro station – up to 10 %

- For projects with common patrons or onsite users within the building or buildings, or there are non-overlapping peak parking needs among the uses on the site – up to 10 %

- For projects with a parking management plan, approved by the relevant approval authority, that incorporates car and van pooling, or public or private transit – up to 10 %

For projects that request more than a 30 percent reduction and up to 40 percent, which would continue to be granted only by the Mayor and Council, the applicant would be required to provide a Transportation Demand Management (TMD) Plan with the specific goal of reducing the parking demand for the project. Monitoring of the effectiveness would be required as part of any agreement.

Limits and measurement of height

The Plan also recommended that ground floor retail floor area not count toward the maximum FAR limitations and that the maximum height limitation be measured starting from the second floor or 16 feet above the street level, whichever is lower. This potentially results in effective height limits of 116 feet under the Optional Method in TC-3 (former TCM-1). Based on Mayor and Council discussions, this has not been included in the text amendment.

Another aspect related to the measurement of height in Town Center is that, for the TCM-2 Zone, heights are measured from the 448 elevation. That elevation is above grade level of the land area in the TCM-2 Zone, and is equivalent to the elevation of the main level of the 255 Rockville Pike and 51 Monroe Street buildings, and the promenade in between them. This requirement derives from the original concept for the redevelopment of Town Center after urban renewal, in which buildings were built on elevated platforms connected by pedestrian bridges and connections, rather than having street frontage. The Mayor and Council agreed that, since the recommended development pattern has changed since this was instituted in order to promote street-level activity, there is not a compelling reason to retain this requirement. The recommended text amendment deletes this provision. It should be noted that the existing approvals in the TCM-2 Zone (Rockville Center and Rockville Metro Plaza) accounted for measuring the height of those projects from the 448 level, so there may be reduction in height for future phases.

Permitted Uses

A recommendation in the Town Center Master Plan was to allow more flexibility in the mix of uses in the Town Center zones. This primarily relates to the TCO-1 (new TC-1) zone, in that the other three TC zones allow some uses that are not permitted in the TCO-1. Some of these include the retailing of alcoholic beverages for consumption off-premises, household appliances and sporting goods, auctioneer and commercial gallery, taverns and nightclubs, automobile rental, retailing of office furniture, libraries, museums and art galleries, private clubs and social halls, indoor entertainment facilities, and hotels. Many of these uses may be desirable in the new TC-1 Zone, and would contribute to the redevelopment of Town Center. The Mayor and Council generally agreed that these uses should be included in the TC-1 Zone, and have been incorporated in the text amendment.

Loading Spaces

One issue that has arisen in the Rockville Town Square project is the requirement that all loading spaces be located underground or in a building, in the TCM-2 Zone. While this is desirable in most cases, there may be instances when the requirement cannot be fully met. Staff suggests that this requirement perhaps be extended to the new TC-3 Zone as well, which contains the bulk of the redevelopable land in Town Center. To provide some flexibility, a provision that allows a waiver of this requirement for good cause shown, may be appropriate.

Minimum Lot Size

Based on a review of developable parcels in the TC zones, staff has recommended a reduction in the minimum lot size from 20,000 square feet to 15,000 square feet. Particularly in the TC-1 Zone, this could allow some small parcels to redevelop at an appropriate scale without the impediment of perhaps obtaining a variance for minimum lot width.

Recommendation

Most of these changes were considered as part of public policy discussions of either a Master Plan or Text Amendment. Staff therefore recommends approval of the application as submitted, for the reasons noted above.

/rjw

Attachments

1. Application Form
2. Proposed Zoning Text
3. Pages from Town Center Master Plan